Office of General Counsel **Federal Election Commission** 999 E Street, N.W. Washington, D.C. 20463.

Dear General Counsel.

This is a formal complaint of possible violations of federal election laws. Copies this complaint has been forwarded to the Federal Bureau of Investigation, the United States House of Representatives' Committee on Standard and the Internal Revenue Service.

Respondents

U.S. Rep. Alcee Hastings (D) Suite 200 2701 West Oakland Park Blvd Oakland Park, FI 3331

Arthur Kennedy (R) **Congressional Chief Of Staff** (Rep. Alcee Hastings) 1631 NW 24th Terrace Fort Lauderdale, FI 33311

Federal Elections Commission Summary

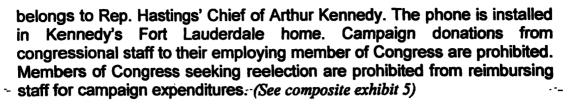
The following are instances of probable violations of the rules of the Federal Elections Commission (FEC) and/or federal elections laws, regulations, and related Acts by the respondents.

In certain instances the alleged violations occurred during the most recent election cycle for the 2002 Congressional race. However, some of the violations may have taken place prior to that time and others may be presently continuing. as detailed.

These arrogant violations of federal election laws are serious, blatant and intolerable. This complaint shall serve notice to US Rep. Alcee Hastings, a Democrat, and his Chief of Staff Arthur Kennedy, a Republican, that they are not above the law and the people will no longer stand by while our electoral processes are skirted.

COUNTS

- 1. Failed To Register A Political Committee Which Impacted The Outcome Of A Federal Election For US Congress. A political committee was formed and received donations, made expenditures and never registered with the FEC as required. The committee also failed to file campaign donation or expenditure reports after endorsing and distributing literature (Black Voter Guide) in support of the congressional candidate. (See Florida Election Commission/Broward State Attorney complaint Composite exhibit 1)
- 2. Failure To Report Use Of A Congressional Office And Official Federal Resources For Campaign Reelection Activity. The office of Rep. Alcee Hastings has been used for prohibited campaign reelection activity. An example are campaign expenditure reports [on file] with the FEC] which show the reports were faxed to the agency from Rep. Hastings' Oakland Park, Florida congressional office. The fax number 954-735-9444 is the official fax for Rep. Hastings main congressional office. These resources have never been reported as donations. (See House Ethics Complaint composite exhibit 2; Hastings FEC reports composite exhibit 3)
- 3. IRS Income Taxes Paid From Campaign Account. The Hastings for Congress 2002 campaign reported interest earnings of \$3478.07 on line 15 of their post election report for the entire election cycle. However, those same reports show the campaign paid \$3486.44 to the Internal Revenue Service for income taxes on that interest earned. According to the reports, the IRS was paid twice and a third, as yet unexplained, income tax payment was made to Bank of America. The campaign paid an income tax payment in the amount of \$585.53 to Bank of America on March 5, 2001; an income tax payment of \$800.91 was made to the IRS on March 26, 2002 and a \$2100 income tax payment was made to the IRS on December 28, 2002. If the information is accurate, it would mean the campaign paid a tax rate of more than 100%, some of which was paid to Bank of America? (See FEC campaign reports composite exhibit 4)
- 4. Failure To Report Use Of Office Space As Federal Campaign Donation. Office space in the home of Arthur Kennedy; Rep. Hastings Chief of Staff has been used by the campaign for reelection activity, but it has never been reported as a contribution to the FEC. Furthermore, members of Congress are prohibited from accepting from, or even reimbursing members of their staff for campaign related expenditures. (See composite exhibit 5)
- 5. Failure To Report Donated Phone And Fax Service To Federal A Campaign. The Hastings for Congress main campaign phone line, (954-730-7322), has been donated to the campaign for more than a decade. These donations have never been reported to the FEC. This phone line actually



- 6. Failure to Report Donation of A Post Office Box Service To A Federal Campaign. The Hastings for Congress reelection campaign has used P.O. Box 9352, Fort Lauderdale, Fl 33311 for decades. Campaign reports filed with the FEC does not show any reported donations for postal box services. The campaign made a number of expenditures for "postage stamps" but none are reported to show payment for the post office box over the years. Post Office box 9352, Ft Lauderdale, Fl 33311 is also used by Rep. Hastings' and his Chief of Staff Arthur Kennedy's fraternity. It remains unclear if that non-profit organization owns the post office box and or why it has never been reported to the FEC. (See composite exhibit 6)
- 7. Payment of Phone Bills From Campaign Account. The Hastings for Congress campaign has made numerous payments to BellSouth for phone and fax line service. For example, during the cycle for 2002 congressional election, the campaign made 19 payments over a 10 month period for more than \$3000.00. During this same cycle, the campaign does not show any donations or expenditures for rented or lease campaign office space. Based upon the volume and amount the campaign paid for phone service during the cycle, it raises a question of whose phone bills were paid and where were those phone lines actually installed. Only a review of invoice will disclose this. This could be another instance of the campaign using congressional offices and official resources for prohibited reelection activity. (See composite exhibit 7)

Additional information will be forwarded under separate cover. Please advise if your agency is in need of anything further in order to begin this investigation.

Alan Brown

8-2-04

GERVIS ROY MOHOMMAD
MY COMMISSION # DD 037656
EXPIRES: August 6, 2005
Bonded Thru Notary Public Underwriters

- Kens Joy / Bawie

EX



June 25, 2004

Michael J. Satz Broward State Attorney Broward State Attorneys Office 201 SE 6th Street Fort Lauderdale, FI 33301

Dear Mr. Satz,

Please find attached a complaint which has been filed with the Florida Elections Commission related to alleged violations of Florida state, and federal election laws.

Please accept the attached composite exhibit as a formal criminal complaint regarding this matter.

In the very near future, additional information will be forthcoming. The violations of the law and betrayal of the public trust is overwhelming, obvious and intolerable. Please immediately begin the investigative process.

Sincerely

Alan Brown

Cc. U.S. House of Representatives Ethics / Standards Committee Federal Bureau of Investigations Federal Elections Commission Florida Election Commission June 25, 2004

Florida Elections Commission Suite 224 Collins Buildings 107 West Gaines Street Tallahassee, Florida 32399-1050

Re: Black Voter Guide of 2002 Complaint

Please find attached exhibits labeled 'A' through 'I' and a detailed summary of alleged violations of Florida State elections laws and rules.

Included in this complaint are details which may constitute violations of federal election laws and regulations as well. Therefore a copy of this; and companion complaints are being forwarded to the Federal Elections Commission, the Broward County State Attorneys Office and the Federal Bureau of Investigations for consideration.

Included with this complaint are:

- 1) List of respondents and their addresses.
- 2) Brief summary of allegations.
- 3) Violations.
- 4) List of relevant exhibits
- 5) List of witnesses.

The aforementioned and attached items shall constitute a formal complaint(s) over and related to what shall hereafter be referred to as the "Black Voter Guide." Please review this complaint and advise if there are any clarifications or corrections in need of attention.

If no such clarifications or corrections are required, please forward copies of this complaint to the respondents and begin the investigative process.

Sincerely

Alan Brown

RESPONDENTS

Commissioner Levoyd Williams

Council Member
City of Lauderdale Lakes
4300 NW 36th Street
Lauderdale Lakes, FI 33319

Rep. Alcee Hastings

Congressman
U.S. House of Representatives
Suite 200
2701 West Oakland Park Blvd
Oakland Park, Fl 33311

Rep. Christopher Smith

Representative
Florida House of Representatives
930-A NW Sistrunk Blvd
Fort Lauderdale, Fl 33311

Commissioner Carlton B. Moore

Council Member
City of Fort Lauderdale
100 North Andrews Ave
Fort Lauderdale, FI 33301

Vice-Mayor Gwendolyn Clarke-Reed

Council Member
City of Deerfield Beach
150 SE 2nd Avenue
Deerfield Beach, FI 33441

Arthur Kennedy

Congressional Staff
US House of Representatives
Suite 200
2701 West Oakland Park Blvd
Fort Lauderdale, Fl 33311

SUMMARY

The issues alleged in this complaint took place on, or around August of 2002 and culminated on Election Day, November 5, 2002, within the two year statute of limitations. The names of those responsible are provided and the specific Florida Statute(s) alleged to have been violated are contained within.

Within that approximate time, a group of individuals, some of whom held elective office and others that were active in politics for years, solicited monies to produce what is termed, displayed, distributed and advertised as "The Black Voter Guide," hereafter referred to as "the guide."

The group of respondents, et al, at times referred to themselves as the "Democratic Black Caucus of Broward County," an organization which didn't exist at the time and/or "The Black Elected Officials of Broward County, another organization that doesn't exist, hereafter referred to as "the group."

The respondents organized and held meetings with numerous other individuals where plans were finalized to endorse certain candidates in the 2002 general

election. The endorsements were made based on who would pay a \$2,000 endorsement fee.

In total, the group reportedly collected an estimated \$45,000 to \$70,000 in contributions for production of the guides and to pay workers who distributed them.

Contributions were solicited from individual candidates, the Democratic National Committee and/or political action committees affiliated with the DNC. Witnesses contend contributions were made in several different forms, including cash. Contributions were made to some of the designated individual respondents, through the Black Elected Officials of Broward County and/or the Black Caucus of Broward County.

There has been no accounting of the contributions taken in or expenditures paid out. Members of the Northwest Democratic Club states they received payments to distribute the guides as well. There are records which show this organization did receive substantial contributions, but there is no record of the Northwest Democratic Club registering and maintaining any records. This non-profit organization provided office space and communication services to the group at their offices in the Lauderdale Lakes Market Place shopping plaza, located at the southeast corner of West Oakland Park Boulevard and State Road 7 in Lauderdale Lakes.

The guides were sorted, packaged and distributed to workers at the referenced location. The campaign contributions for the guides were counted and disbursed at this location and distributed at least four weeks before the November 5, 2002 general election. They were also distributed at polling places on Election Day.

After the polls closed On Election Day, November 2002, workers returned to the Northwest Democratic Club's office seeking payment for weeks of work handing out the guides. They were informed no money was available to pay them, and confrontations erupted. Some candidates were also at the office complaining that the guides were not distributed at certain precincts as was agreed to.

The majority of the monetary contributions were in the possession of Lauderdale Lakes' Commissioner Levoyd Williams, who is also the chairman of the Black Elected Officials of Broward County. The group hired campaign workers collectively and Fort Lauderdale city commissioner Carlton Moore hired several persons individually. Workers, who did get paid, were given cash. Others have not been paid at all.

The group never filed or registered with the Florida Elections Commission, or the Federal Election Commission, even though U.S. Congressman Alcee Hastings and his Chief of Staff Arthur Kennedy helped organize the political organization. Rep. Hastings was also endorsed on the guide as a federal candidate, as were many local and state candidates.

An overwhelming number of individuals, some of whom are listed as sponsors of the guide have expressed a desire to testify in this matter. Some of them are named in the witness list. The address and specific contact information for the witnesses will be forwarded under separate cover.

VIOLATIONS

- a) The group never registered as a federal or state political organization.
- b) There is no accounting of contributions.
- c) No record-keeping, treasurer's reports, or expenditure reports were maintained or exists.
- d) Workers were paid in cash, while some have not been paid at all.
- e) The disclaimers as required by federal and state election laws fraudulently listed a number of persons as those who "paid for and approved" the guide, even though many had no knowledge of it.
- f) Justices who sit on the Florida Supreme Court were listed on the guides without their written permission or knowledge.
- g) Incumbent elected officials titles were listed on the guides as "paying for and approving" the guides, and also listed as the endorsees.
- h) The word "for" was not used next to the incumbent's names.
- i) No prior written permission was obtained to use the name of candidates.
- j) Candidates were solicited and required to pay for endorsements.
- k) The respondents, a political organization, operated out the offices of a non-profit organization.
- Cash payments were paid to campaign workers.

STATUTES

1. Failed to form and register as a political committee. F.S. 106.3

- 2. Did not designate a separate interest bearing campaign account. F.S. 106.021 (1) (b)
- 3. Failed to obtain prior written permission from individuals to endorse candidates on a political advertisement. F.S. 106.143 (3)
- 4. Failed to obtain prior written consent from candidates before circulating political advertisements on their behalf. F.S. 106.143 (4) (a)
- 5. Failed to use the words "re-elect" on political advertisements for incumbents. F.S. 106.143 (5)
- 6. Failed to use the word "for" on political advertisements for challengers. F.S. 106.143 (5)
- 7. Failed to use the term "sponsorship" in political ads that were circulated to influence the public vote. F.S. 106.1437
- 8. The Black Caucus of Broward County and/or the Black Elected Officials of Broward have not registered as a continuous political committee for years. F.S. 106.4
- 9. Failed to deposit campaign contributions as per F.S. 106.5.
- 10. Failed to report and place a value on office space, phone service and staff which was provided by the Northwest Democratic Club. F.S. 106.055
- 11. Failed to keep, maintain and make treasurer reports available for inspection. F.S. 106.06
- 12. Failed to report or file campaign contributions. F.S. 106.07
- 13. Failed to report, file or maintain campaign qualifying expenditures. F.S. 106.07
- 14. Accepted campaign contributions in excess of the \$500.00 limit. F.S. 106.8
- 15. Accepted cash contributions in excess of the \$100.00 limit. F.S. 106.9
- 16. Failed make expenditures as specified by F.S. 106.11 and F.S. 106.12
- 17. Failed to file a statement of existence with the officers of each candidate who was endorsed in the guide. F.S. 106.144
- 18. Miscellaneous violations of F.S. 106.19

19. Used the political titles and offices of incumbents in a political ad. F.S. 106

EXHIBITS

- A. Black Voter Guide page 1
- B. Black Voter Guide page 2:
- C. State Representative <u>Ken Gottlieb's</u> \$2000.00 expenditure to the Northwest Democratic Club.
- D. "It Wasn't A Day For Democrats: GOP money and momentum turned tide in Broward" November 6, 2002 by columnist Buddy Nevins of the <u>South Florida Sun Sentinel.</u>
- E. "Carter Stays On School Board, Decries Rival's Tactics As Evil: Workers pass out fake endorsements to black residents" November 6, 2002 by reporter Jamie Malernee of the <u>South Florida Sun Sentinel</u>:
- F. "Steel Magnolias Stand Tall In Another Election" November 9, 2002 by columnist Buddy Nevins of the South Florida Sun Sentinel.
- G. "Use of Black Voter Guide Funds Questioned" November 7, 2003 by reporter Elgin Jones of the *The Broward Times*.
- H. "Who Has The Black Voter Guide Money? Scandal Could Bring Penalties For Some and Benefits For The People" November 14, 2003 by reporter Elgin Jones of *The Broward Times*.
- Other exhibits that are not attached, but should be useful and relevant to this matter are the Florida Elections Commission's investigative report in Case# FEC 02-463 and the investigative file from Broward County State Attorneys Office's case # Judith Stern SP03-01-003.

WITNESS LIST

- 1. Comm. Margaret Bates, City of Lauderhill
- 2. Judy Stern, president Judith Stern Consulting
- Art Kennedy, Chief of Staff Congressman Alcee Hastings.
- 4. Darla Carter, member Broward County School Board
- 5. Kenneth Fredericks, 2002 campaign worker (Carlton Moore)
- Tyson Jones, former commissioner City of Lauderhill
- 7. Mayor Sam Brown, City of Lauderdale Lakes
- 8. J.S. Jones
- Paul Eichner, former member Broward County School Board
- Percy Johnson, president Fort Lauderdale Democratic Club
- 11. Al Edden
- 12. C.J. Jackson, Staffperson Congressman Alcee Hastings

- 13. Perry Thurston, 2002 judicial candidate
- 14. Comm. Hazelle Rogers, City of Lauderdale Lakes
- 15. Eric Hammond, Caribbean Democratic Club of Broward
- 16. George Williams
- 17. Ken Gottlieb, Florida State Representative
- 18. Patrick Jabouin, Caribbean Democratic Club of Broward
- 19. Bobbie H. Grace, former commissioner City of Dania Beach
- 20. Mickey Hinton,
 Durrs Homeowners
 Association of Fort
 Lauderdale
- 21. Ella Phillips, staff person Broward County Public Defenders Office
- 22. Hazel K. Armbrister, Northwest Democratic Club
- 23. Gloria Jackson, Northwest Democratic Club
- 24. Mandy Dawson, Florida State Senator

- 25. Kelvin Haynes, 2002 campaign worker
- 26. Sallie L. Stephens, former Miramar city commissioner
- 27. Dr. Gwen
 Hankerson,
 Democratic Black
 Caucus of Broward
 County
- 28. Walter C. Hunter, president Collier City Civic Council of Pompano Beach
- 29. Frankie Thomas, Northwest Democratic Club
- 30. Clarence A. Wright.
 President St.
 George Civic
 Association
- 31. Comm. Pat Larkins, City of Pompano Beach
- 32. Vice Mayor
 Gwendolyn ClarkeReed, City of
 Deerfield Beach
- Sallie Tillman Watson, 2002 campaign worker
- 34. Mitch Caesar, chair Democratic Party of Broward County
- 35. William Dandy, Broward Public Schools administrator (Ret.)

Broward County Charter Amendments वैवैध

BLACK VOTER'S GUIDE

Alcee L. HASTINGS

BII MCBRIDE

Governor

Representative in Congress

Question 1 Creates a Bill of Rights	(YES)	Question 2 Creates	
Question 3		County Mayor	
Creates County Auditor	(NO)	Question 4	
Question 5		Creates Fire Council	
Allows Commission to Propose Revisions	(YES)	Onestion 6	
Question 7		Protection of	
Amend		ALIIOUGEICA	
Administrative Code	(YES)	Question 8	
Question 9 County Boards	(YES)	Non-Interference Ordinance	_
		Question 10	

(YES) **Question 12** Referendum Initiative, Elections (YES)

Referendum Signatures

Question 13.52.

<u>8</u>

Commission

(YES)

Technical Changes

Question 11

9 9 (YES) (YES) Charter Review

M. Mandy DAWSON State Senator

Commissioner of Agriculture

Buddy DYER

Attorney General

David NELSON

Perry THURSTON, Jr. Circuit Judge Group 52

Pompano residents vote NO against an elected Mayor

Pd Pol Adv pard for and opproved by Congressman Alcee Hastings, Rep Chris Smith, Comm Carllon Moore, Comm Hazelle Rogers, Comm Levoyd Williams, Comm Acrgaret Bates, Comm Sallie L Stephens, Ed D. Comm Tyson Janes, Mayor Sam Blown, J. S. Jones, Al Edden, C. J. Jackson, Eric Hammand, George Williams, Patrick Joboun, Bobbiet H Grace, Mickey Hinton, Ella Phillips, Hazel K. Armbrister, Gloria Jackson, Dr. Gwen Honkerson, Waller C. Hunter, Frankie Thomas, Clarence A. Wright, Pal Larkins, Vice Mayor Gwyn Clarke Reed and Bill Dandy Approved by all of the above listed candidates

BENEFIT the BLACK COMMUNITY Candidates and Issues That

(Some may not appear on your Ballot) HER RACES

State Senator Debbie Wasserman SCHULTZ	
State Senator Bob BUTTERWORTH	

State Representative Dist 92 State Representative Dist 87

State Representative Dist 96 John 'Jack' SEILER State Representative Dist 95 David ROBBE

State Representative Dist 98 Roger WISHNER Stacy RITTER State Representative Dist 97 Ron GREENSTEIN Nan RICH

State Representative Dist 105 Ken GOTTLIEB State Representative Dist 101 **Gary SHIRK**

County School Board District 6 Phyllis C. HOPE

County School Board Darla CARTER

Harry Lee ANSTED (YES) Supreme Court Justice Charles T. WELLS (YES)

Mathew STEVENSON, Martha WARNER Mark E. POLEN, George A. SHAHOOD District Court of Appeal (YES for All)

CONSTITUTIONAL AMENDMENT

Expanding the Death Penalty Amendment 1

9

9

Cost Estimates for future Amendments Amendment 2

Amendment 3

Changing Dade County's Charter

(Q)

Amendment 4

Makes it Harder to Close Public Meetings

(YES)

Amendment 6

(YES) This would ban Smoking in All public places

Amendment 7

Tax Exemptions to Care for Parents & Grandparents

(YES)

Amendment 8

Universal Pre-Kindergarten

Amendment 9

CLASS SIZE REDUCTION

Amendment 10

Animal Cruelty

Amendment 11

Reinstates Board of Regents

(YES)

(YES) (YES) (S)

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Sun-Sentinel (Fort Lauderdale, FL)

November 6, 2002 Wednesday Broward Metro Edition

SECTION: LOCAL; Pg. 6B

LENGTH: 589 words

HEADLINE: CARTER STAYS ON SCHOOL BOARD, DECRIES RIVAL'S TACTICS AS 'EVIL'; WORKERS PASS OUT FAKE ENDORSEMENTS TO BLACK RESIDENTS

BYLINE: Jamie Malernee Staff Writer, Staff Writer Buddy Nevins contributed to this report.

BODY:

School Board member Darla Carter declared victory Tuesday night, winning a bitter race for countywide re-election despite last-minute campaigning by her opponent that she called "evil" and "wrong."

Workers for her opponent, School Board member Paul Eichner, were seen Tuesday in predominantly black precincts passing out phony brochures of endorsements by black elected officials and community leaders. They falsely listed Eichner as one of their picks. The real brochures endorsed Carter, 54, a Parkland resident who was once considered a long shot for re-election but gained steam throughout the campaign.

"They should be ashamed of themselves," Carter said of the doctored handouts.
"This shows [Eichner's] true colors: God is on my side."

Eichner denied responsibility for the fake brochures and said his recent health problems -- a life-threatening burst appendix that left him hospitalized shortly after the primary -- hampered his campaign efforts.

"It's not my document, nor did I approve it, nor did I condone it," said Eichner, 45, of Weston. "We put our best foot forward. I tried. Life goes on."

Carter said she didn't believe Eichner's professions of ignorance. She said the handouts were only the latest dirty ploy in Eichner's campaign, run by lobbyist Judith Stern. In 1998, the Florida Elections Commission found probable cause that Stern violated election laws during a 1996 judicial race by producing and paying for fliers that stated a nonexistent group endorsed eight candidates.

Carter said she did not yet know whether she would file a complaint against Eichner, or whether she would let members of the black community speak out first.

It is not clear how many voters were exposed to the false campaign literature, which was reportedly distributed at 10 precincts. Many were entirely unaware of the controversy. Broward Circuit Judge Joyce Julian said she saw the doctored handouts and was appalled.

"It's ugly," she said. "It's lllegal."

Meanwhile, there was considerably less controversy surrounding the District 6 race, where parent activist Marty Rubinstein had a slim lead over political newcomer Phyllis Hope in the battle for the School Board seat representing Weston, Sunrise and parts of Davie, Cooper City, Lauderhill and Pine Island Ridge, an unincorporated community near Davie.

Both candidates ran on similar platforms, advocating smaller classes and increased teacher pay, both promising to eliminate waste and improve technology. Both are Democrats and both are from Sunrise.

They distinguished themselves by their experience and personalities. Hope is a registrar at Riverglades Elementary in Parkland who marketed herself as the voice for the "little people" and an advocate for diversity. Rubinstein, a manager at Brandsmart USA, has served on various city and civic committees and has strong political ties to the local Democratic Party. He said he had the political background and know-how to get things done.

"I'm elated, of course," said Rubinstein, 53. "I'm looking forward to doing a job for the children. There is a lot of work to be done."

Staff Writer Buddy Nevins contributed to this report.

Jamie Malernee can be reached at jmalernee@sun-sentinel.com or 954-385-7910.

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Steel Magnolias stand tall in another election

Buddy Nevins

November 9, 2002

The day after the election, flowers were delivered to the School Board members' office -- anonymously. But anybody involved in Broward County politics knows who the flowers were from: The Steel Magnolias.

The Steel Magnolias are a trio of tough women who have made a specialty of running low-budget, grass-roots political campaigns against candidates well-funded by the lobbyist crowd. The name comes from a 1989 movie about friendship among women in a small Southern town.

Flowers sent anonymously are their calling card. It's their way of crowing that they have once again beaten the special interests.

Their message is simple:

Money isn't everything in politics. Good candidates can win with hard work. The three-piece suits with the fat billfolds can be beaten.

Their target on Tuesday was School Board member Paul Eichner.

The Magnolias' candidate was Darla Carter, another incumbent School Board member who Eichner had challenged for her countywide School Board seat.

Carter crushed Eichner by more than 40,000 votes. She was the third candidate the Magnolias have helped win in the past few years.

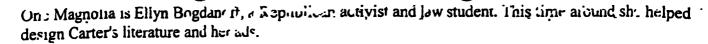
The first was Stephanie Kraft, who won a seat on the School Board by beating the lobbyists' darling Don Samuels.

The second was Cindi Hutchinson, who crushed Fort Lauderdale City Commissioner Jack Latona, a favorite of the development industry.

Kraft, Hutchinson and now Carter. All were great candidates with a winning message of change.

All were outspent by five, six, seven times by their opponents. And all needed the grass-roots help the Steel Magnolias provide.

The Steel Magnolias work for free. They pick candidates they think will be best for the community.



Another is Mary Fertig, the mother of six wno put 1,000 miles on her SUV driving around Broward between Sunday and the end of the voting Tuesday. She was delivering flyers to poll workers, signs to homeowners and workers to the polls.

The third is Aleida "Ali" Waldman, a prominent real estate lawyer, who helped raise what little money Carter got. A downtown Fort Lauderdale powerbroker, she drummed up support for Carter among other politicians.

The Magnolias never work alone. Helping this time was Sheila Alu, a tireless Sunrise city commissioner who worked the polls and flooded her city with palm cards for Carter. Alu thought Carter had supported new schools for Sunrise, while Eichner had not.

There was Dan Lewis, a political strategist. Stephanie and Mitch Kraft, the School Board member and her Tamarac city attorney husband, worked northwest Broward.

School Board member Bev Gallagher campaigned among her supporters in southwest Broward for Carter. Broward Teachers Union steward Barbara Butler defied her union, which endorsed Eichner, and worked for Carter. Students from Keiser College passed out leaflets at the polls.

Perhaps the most unusual ally was Steve Kane, the hyperventilating radio host who did hours of broadcasts on his WNN 1470-AM talk show supporting Carter.

She had voted against allowing the Gay, Lesbian and Straight Education Network (GLSEN) to operate in the schools, winning the conservative Kane's admiration. So the broadcaster not only unleashed his listeners, but worked a polling place for Carter and even helped organize members of Calvary Chapel in Fort Lauderdale.

This time the Magnolias were up against one of the most vicious negative campaigns that has been witnessed in Broward in years. Much of Eichner's campaign consisted of relentless misleading attacks.

For instance, Eichner's advertising stated Carter had a public verbal fight with a School Board member. What it didn't mention was that Carter's fight was with Kraft, who was supporting her re-election.

And then there was the last-minute dirty trick. Workers wearing Eichner shirts in predominantly black precincts passed out phony brochures of endorsements by black elected officials and community leaders. The brochures, which did not state who paid for them as required by law, falsely listed Eichner as one of their picks.

Eichner denies any knowledge of the dirty trick. Judy Stern, who was Eichner's campaign guru, says, "I did not pay [to] have this piece printed."

Then in two lengthy e-mails, Stern went on to state that black elected officials were demanding \$2,000 to list Eichner's name on their endorsement and she wouldn't go along with it. She also states that dirty tricks have a long history in Broward.





The only people who can end or to political tricks are the campaign contributors.

The Broward Teachers Union, lawver Bill Scherer, lobbyist Dennis Mele and contractor James A. Cumming are among the insiders who backed Figure. They should be achained because their money may have been used for these factics. Until political deep pockets like them command an end, the dirty tricks will go on.

And the Magnolias will be there to counter them with straight talk and winning campaigns.

Winners and losers

Other than the Steel Magnolias, there were other winners and losers behind the scenes in this election year:

Loser: Al Schreiber. His fabled political machine stumbled badly in two losing judicial races: Mila Schwartzreich and Alan Marks.

Winner: George LeMieux. This Republican's leadership produced the best showing by the GOP in years. Gov. Jeb Bush did 2 percent better in Broward than he did four years ago over the last Democratic loser for governor, Lt. Gov. Buddy MacKay. His party is on the rise, while the Democrats are in decline and disarray.

Loser: Mitch Ceasar. There are open calls for him to step down after his party's horrible showing Tuesday. Much of it was bad candidates like gubernatorial hopeful Bill McBride. But some of it was disunity that Ceasar could not curb. Another blow to Ceasar: Alu, who as the Democratic executive director was the only real sparkplug in the organization leadership, quit Friday.

Loser: Teachers unions. Not only did the state union fritter away more than \$2 million in their members' dues on the McBride campaign, the Broward union put a lot of effort in the Eichner campaign and lost. The union is looking increasingly irrelevant politically.

Winner: Anthony "Tony G" Gargiulo. The political consultant fabled as the judgemaker did it again: Three out of four of his judicial candidates won.

Got a tip? Contact Buddy at bnevins@sun-sentinel.com or 954-356-4571.

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Sun-Sentinel (Eoft Lauderdale, FL)

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November 6, 2002 Wednesday Broward Metro Edition

SECTION: LOCAL; Pg. 8B

LENGTH: 780 words

HEADLINE: IT WASN'T A DAY FOR DEMOCRATS;

GOP MONEY AND MOMENTUM TURNED THE TIDE IN BROWARD.

BYLINE: Buddy Nevins Political Writer, Staff Writer Jamie Malernee contributed

to this report.

BODY:

Tuesday was a Republican day even in the state's Democratic stronghold -- Broward County.

Democratic gubernatorial candidate Bill McBride won by one of the smallest margins of victory in Broward of any other Democratic nominee in recent memory.

And the GOP vanquished one of the few remaining Democratic icons, Florida Attorney General Bob Butterworth, who was beaten for the first time in a 30-year career for state Senate District 25 by state Rep. Jeff Atwater of Royal Palm Beach.

Glum Democrats blamed McBride, whose lackluster style didn't bring voters to the polls and, they said, dragged down the whole ticket. Democrats also blamed relentless publicity about possible long lines at the polls for keeping the turnout low.

The turnout was about 35 percent, the lowest in the state, which helped the GOP. McBride needed at least a 50 percent turnout to win statewide.

Democrats also complained they were buried under an avalanche of GOP dollars, which bought the Republicans.

"There is no way we could keep up with their money. We really got no help from the top of the ticket, either." said Mitch Ceasar, the county Democratic chairman.

Jim Kane, a pollster and observer of the Broward political scene for three decades, blamed Democratic leaders for supporting McBride and scuttling the candidacy of former U.S. Attorney General Janet Reno in the primary. The party leadership favored McBride because they thought Reno couldn't win.

"The irony is that if Janet Reno had been on the ticket, she may have lost but the Democrats would have turned out and been enthused in South Florida. The turnout down here would have helped the entire ticket, and the Democrats might still have a place on the state Cabinet and Bob Butterworth could have won," Kane said.

At the same time many Democrats felt indifference about McBride's candidacy, the Republicans were mounting their biggest and most professional campaign ever in Broward.

"This wasn't about money," said Broward GOP Chairman George LeMieux. "It was about volunteers."

ruesday the GOP's Broward Victory 2002 organization had 150 key polling cases covered throughout the day with volunteers. They had 75 people waving sign, at intersections and another 75 making phone calls to Republican voters, reminding them to cast ballots.

Money helped the GOP, at least money from Tallahassee. The state party mailed advertising to every one of the 283,055 Republicans encouraging them to cast absentee ballots. As of early Tuesday, there were 4,500 more Republicans who cast absentee ballots than Democrats.

It is estimated that in the Atwater campaign, the GOP and Atwater's big business allies spent as much as \$3 million to defeat Butterworth. Ceasar estimates that the Republicans spent another several million dollars on their Broward effort, which included hiring a full-time political director and opening four offices.

LeMieux would not talk dollars.

Although the biggest surprise was the success of the Republicans, the most contentious race was a nonpartisan election for the countywide School Board District 8 seat.

On one side was Paul Eichner, whose campaign was run by political professionals. On the other was Darla Carter, whose bid was managed by a group of parent activists who have had repeated success running campaigns for little money against well-funded incumbents such as Eichner.

Carter beat Eichner, who had six to seven times the money, which bought him a series of attack ads on television and a small army of poll workers to hand out literature on Tuesday.

The Eichner workers handed out a phony copy of a brochure of endorsements by more than two dozen black elected officials and community leaders. The actual brochure endorsed Carter, but the phony one endorsed Eichner.

State Rep. Chris Smith, D-Fort Lauderdale, called the phony endorsements a "blatant attempt to fool the black community."

"In at least 10 precincts I saw it being handed out by Eichner people in yellow shirts. Photos were taken of them," Smith said. "To take the same format, which I did on my home computer, copy it and add your name is just wrong."

Eichner said he had no role in the phony brochure.

"If they are volunteers and they are wearing my shirt, they can still do what they want," he said. Both the phony and real endorsement sheet backed Perry Thurston Jr., the first black to run for circuit court judge in Broward. Despite the support of much of the Democratic establishment, the unions and the newspapers, Thurston lost to Michael Kaplan.

Staff Writer Jamie Malernee contributed to this report.

Buddy Nevins can be reached at bnevins@sun-sentinel.com or 954-356-4571.



Campaign Expenditures

2002 General Election Kenneth 'Ken' Gottlieb (DEM) State Representative (Incumbent)

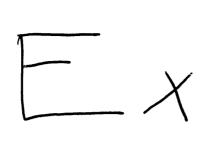
This information is being provided as a convenience to the public, has been processed by the Division of Elections and should be cross referenced with the original report on file with the Division of Elections in case of questions.

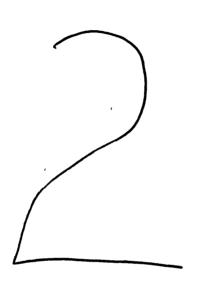
About the Campaign Finance Data Base

	Rpt Yr	Rpt Type	Date	Amount	Expense Paid To	Address
	2002	G4	10/22/2002	175.00	LES	LIBERIA STREE
	2002	G 4	10/24/2002	500.00	HWD ART & CULTURAL CENTER	HARRISON & US
	2002	G4	10/24/2002	127.50	JEREZ MIGUEL	125 N 46TH AV
	2002	G4	10/24/2002	101.30	PORTON CARMEN	125 N. 46TH A
	2002	G4	10/24/2002	10.00	HILLS DEMOCRATIC CLUB	HOLLYWOOD HIL
	2002	G4	10/25/2002		ANN STORCH CENTER	PEMBROKE PINE
	2002	G4	10/28/2002	•	STRATEGIC TECHNOLOGIES	401 SE 12TH S
	2002	G4	10/28/2002	834.00	SALES BUILDERS PROMOTIONS	7605 DAVIE RO
	2002	G4	10/30/2002		INSTY PRINTS	HOLLYWOOD BLV
	2002	G4	10/30/2002	2,000.00	HOUSE VICTORY 2002	200 W. COLLEG
_	2002	G4	10/31/2002		NW DEMOCRATIC CLUB	FT. LAUDERDAL
7	2002	G4	10/31/2002		HOLLY TROLLY	4747 HLWD. BL
	2002	G4	10/31/2002		WACHOVIA BANK	PRESIDENTIAL
	2003	TR	11/02/2002		PRIMO CARNERA FOUNDATION	ROOM 142
	2003	TR	11/04/2002		HOLLY TROLLY	4747 HLWD. BL
	2003	TR	11/13/2002		COMMUNICIA LIFE CENTER	MIRAMAR
	2003	TR	11/14/2002		MIRAMAR UNITED METHODIST CHURC	
	2003	TR	11/25/2002		REAHL PUBLISHING	UNKNOWN
	2003	TR	11/26/2002	100.00		LIBERIA STREE
	2003	TR	11/26/2002	61.48	GRAPHIC'S, INC.	4445 HWD. BLV
	2003	TR	12/02/2002	•	GUNZBERGER RON	409 NE 17TH A
	2003	TR	12/20/2002	10,000.00	MILLER BARBARA	442 POINCIANO
	2003	TR	12/21/2002		TEMPLE BETH EL	1351 S. 14TH
	2003	TR	12/27/2002		KENNETH GOTTLIEB LEGISLATIVE O	
	2003	TR	12/29/2002	3,000.00	UNITED JEWISH COMMUNITY OF BRW	5850 S. PINE
	2003	TR	01/15/2003		WACHOVIA BANK	PRESIDENTIAL
	2003	TR	01/29/2003		AMERICAN JEWISH CONGRESS	2151 W. HILLS
	2003	TR	01/29/2003		BOYS & GIRLS CLUB	1111 N. 69TH
	2003	TR	01/29/2003		FLORIDA DEMOCRATIC PARTY	TALLAHASSEE
	2003	TR	01/29/2003		CHAMANIDE / MADONNA SCHOOL	500 CHAMINADE
	2003	TR	01/29/2003	2,081.97	GREATER HOLLYWOOD JAYCEES	2930 HOLLYWOO
				89,215.00	•	-

91 Expenditure(s) Selected

Query the Campaign Finance Data Base





June 15, 2004

Rep Joel Hefley, Chairman
Committee on Standards of Official Conduct
United States House of Representatives
Washington, DC 20515
202-225-7103 Office

Via: John E. Vargo, Chief Staff Director/ General Counsel

Mr. Chairman,

Please find attached the following complaint(s) of possible House rules violations by and on behalf of United States Congressman Alcee Hastings and his long-time Chief of Staff Arthur Kennedy.

The attached documents will show that for multiple years [in violation of House ethics rules] Rep. Hastings has received what could amount to prohibited "in-kind" campaign contributions from a member of his congressional staff.

Also included in this complaint are documents on file with the Federal Elections Commission which demonstrates that prohibited reelection campaign activities has taken place in Rep. Alcee Hastings' main congressional office in Florida.

There is also evidence of federal resources from Rep. Hastings' congressional office being used on his reelection campaigns dating back to 1996.

After being impeached and removed from the federal bench by John Kerry and other United States Senators, by all appearances Rep. Hastings may have violated the second-chance honor the voters of Florida's 23rd congressional district and the nation gave him.

Please evaluate this complaint and allegations as per the Committee's procedures.

SUMMARY

The following 9 pages are details, evidence and confirmation of possible House Ethics violations by a US Congressman.

The pages 10 thru 12 are actual campaigns reports from the Federal Election Commission that were distributed from Rep. Alcee Hastings' main congressional office in Florida. The congressional office's fax number is printed across the top of these reports, indicating where they were sent from.

US Congressman **Alcee Hastings'** reelection campaigns may have engaged in years of election law and House ethics violations. His main congressional office and official resources have been used for political campaign reelection activity. His official reelection campaign phone and fax lines used by the campaign since 1996 actually belongs to his Chief of Staff, **Arthur Kennedy** and his wife Daisy. Those phone lines are installed at the Kennedy's **Fort Lauderdale** home, located at **1631 NW 24th Terrace**

Depending on which directory is searched, these phone lines are listed in Kennedy's name; his wife Daisy's name, or both of their names. This can be confirmed by checking the regular phonebook or by going to and putting in and searching the campaign's phone and fax numbers there.

Not only are these phone and fax numbers listed in Kennedy's name, they have been used in all official campaign literature and even on campaign letterheads where communications have been sent to the Federal Elections Commission, to campaign contributors and at the campaign website, which is:

Those phone numbers are:

- 954-730-7322 main campaign number Located at Hastings' Chief of Staff home office. Number is in his Chief of Staff and his wife's name (Source: Bell South, Google, Federal Election Commission documents and www.AlceeForCongress.com)
- <u>954-485-3959</u> new fax number Secondary number and phone line that is located at an undetermined address and it is unclear who owns this line, but it is not listed as belonging to the campaign. (Source: Bell South)
 - 954-714-3923 old fax number the campaign has used for years
 This number is located at Hastings' Chief of Staff's home office. Number belongs to Kennedy and his wife Daisy. This fax number is also used for business conducted by Mariah Fifteenth, Inc., a firm owned by Art Kennedy. (Source: Google, Florida Division of



Corporations, Bell South, Broward County Records Division and Broward County Property Appraisers Office)

Property records shows that the home where the Kennedy's live, <u>1631 NW 24th Terrace in Fort Lauderdale</u>, as been 'quit claim deeded' back and forth between husband & wife for years and both continues to there Both have outstanding mortgages on record for this property as well.

The Post Office Box the Hastings campaign has used for years, <u>PO Box 9352, Fort Lauderdale</u>, <u>FI 33310</u> has been used by Hastings campaign and Hastings' fraternity, which is headed by Kennedy. This can be determined by entering the P.O box number and address in **www.google.com** and performing a search. It is unclear who actually owns this PO Box and campaign reports does not show any expenditures for a post office box.

The phone, fax lines, and apparent office space utilized by the campaign are defined as "in-kind" donations by the House rules and the Federal Election Commission. Those rules and laws make it a felony for Congressional staff to give any type of contribution, in-kind or otherwise, to the member of congress who employs them Additionally, it appears these in-kind contributions from Kennedy and his wife may not have been reported on Hastings' campaign expenditure or contribution reports.

Since these campaign phone lines have been installed in Kennedy's home, there remains the question if he has ever taken leave without pay to work on the campaign, as required by the federal law. It would appear that since the phones have been installed at his home, this may constitute his working on a campaign while being paid by the US government, which is a violation of the law.

Based on his campaign being set up in his Chief of Staff's home, it lends suspicion that the Hastings re-election campaigns have always been run from his chief of staff's home. The Committee on Standards of Official Conduct for U S. House of Representatives offers advice to staff, the public, and members of Congress on these activities. They have confirmed such activities would be a violation by the staff member and the member of Congress It remains unclear if Hastings has ever had an actual "campaign headquarters" or location.

Committee Telephone 202-225-7103 Committee Fax. 202-225-7392

Federal Elections Commission Candidates Handbook Link:

Link To The House Ethics Committee's Candidate Campaign Guide For Members Of Congress:

Excerpts from the House Ethics Committee Campaign Guide Book for Members of Congress:

CAMPAIGN WORK BY HOUSE EMPLOYEES OUTSIDE THE CONGRESSIONAL OFFICE AND ON THEIR OWN TIME Once House employees have completed their official duties, they are free to engage in campaign activities on their own time, as volunteers or for pay, as long as they do not do so in congressional offices or facilities, or otherwise use official resources. Executive Branch personnel are subject to restrictions on partisan political activity by the Hatch Act (5 U.S.C. 7321 et seq.), but those restrictions are not applicable to congressional employees.

It should be stressed that while House employees are free to engage in campaign activities on their own time, in no event may a Member or office compel a House employee to do campaign work. To do so would result in an impermissible official subsidy of the Member's campaign.

WHAT IS AN EMPLOYEE'S "OWN TIME"?

As to what constitutes a staff member's "own time," this is determined by the personnel policies that are in place in the employing office. Time that is available to a staff member, under those policies, to engage in personal or other outside activities may instead be used to do campaign work, if the individual so chooses. This free time may include, for example, a lunch period, time after the end of the business day, and annual leave. However, a Member may not adjust the work requirements of the congressional office, or add unpaid interns during the campaign, in order to create more "free" time for staff to do campaign work. To help ensure compliance with the rules, office policies on employee leave and other free time should be in writing and distributed to all employees.

The Standards Committee has recognized that the hours that constitute a staff member's "own time" will not always correspond to evenings and weekends:

Due to the irregular time-frames in which the Congress operates, it is unrealistic to impose conventional work hours and rules on congressional employees. At some times, these employees may work more than double the usual work-week — at others, some less. Thus employees are expected to fulfill the clerical work the Member requires during the hours he requires and generally are free at other periods. If, during the periods he is free, he voluntarily engages in campaign activity, there is no bar to this.

In addition to engaging in campaign activity while on annual leave or in other free time, employees may do so by -

- reducing their employment in the congressional office to part-time status, with a corresponding reduction in salary, or
- going on Leave Without Pay (LWOP) status for the purpose of working on the campaign.

However, prior to going on LWOP status, an employee should carefully review the requirements for that status that are set out in the Members' Congressional Handbook and the Committees' Congressional Handbook issued by the House Administration Committee and should consult with staff of that committee as necessary.

Employees who do campaign work while remaining on the House payroll should keep careful records of the time they spend on official activities and, separately, on campaign activities, and demonstrate that campaign work was not done on official time. There is no set format for maintaining such time records, but any questions on this matter may be directed to the Standards Committee staff.

The rules governing campaign work by House employees were implicated in a Standards Committee disciplinary case that was completed in the 106th Congress. In that case the Committee determined that a Member had violated the House Code of Official Conduct in that his staff members worked for his campaign during regular office hours without taking annual leave or going on Leave Without Pay status, or taking any other steps to ensure that those services were rendered during time that was properly deemed the employee's "own time." The employees in that office took "administrative leave" whenever they performed campaign work. However, they were paid their full congressional salary while on "administrative leave," and the office had no system in place to ensure that time spent in that status was recorded and was either made up at alternate times or charged as vacation time.

NEED TO COMPLY WITH LAWS AND RULES APPLICABLE TO HOUSE EMPLOYEES WHILE DOING CAMPAIGN WORK

All House employees who do campaign work should bear in mind that they continue to be bound by the laws and rules applicable to House employees. This applies to employees who go to part-time status, and it applies as well to employees on LWOP status, who continue to be employees of the House (and continue to be eligible for certain employee benefits) even though they are not receiving compensation from the House. House employees should take particular note of the following.

The Prohibition Against Making a Contribution to One's Employing Member. A provision of the Federal Criminal Code, 18 U.S.C. §603, makes it unlawful for any Federal officer or employee to make certain campaign contributions to "the employer or employing authority of the person making the contribution." Accordingly, an employee of a Member office is prohibited from making a "contribution" as that term is used in the statute (see below) to his or her employing Member.

Regarding the employees of a House committee, the legislative history of the statute provides as follows:

An individual employed by a congressional committee cannot contribute to the chairman of that particular committee. If the individual is employed by the minority that individual cannot contribute to the ranking minority member of the committee or the chairman of the committee.

The contributions to which the statute applies are those made to influence a federal election — that is, the term contribution is defined in the statute by reference to the definition of that term stated in the <u>Federal Election Campaign Act (2 U.S.C. §431(8))</u>. The statute goes on to provide that a contribution to an "authorized committee" as defined in the Act (id. §432(e)(1)) is considered a contribution to the individual who authorized the committee.

The prohibition against an employee making such a contribution to his or her employing Member is absolute. A House employee may not make such a contribution even if the contribution was entirely unsolicited, and the employee genuinely wishes to make the contribution. As a result of this statute, a House employee may not purchase a ticket to a campaign fundraising event for his or her employing Member.

The definition of the term contribution in the Federal Election Campaign Act is quite detailed, setting out a number of items that either do or do not constitute a contribution for purposes of

the Act. The definition is elaborated upon in the implementing regulations issued by the Federal Election Commission. Staff members who do campaign work need to be familiar with those provisions so as to avoid making a prohibited contribution to their employing Member.

In particular, staff members should be aware that under FEC regulations, most outlays that an individual makes in behalf of a campaign are deemed to be a contribution to that campaign from that individual. This is so even if it is intended that the campaign will reimburse the individual promptly. The major exception to this rule is for outlays that an individual makes to cover expenses that he or she incurs in traveling in behalf of a campaign.

Accordingly, a House employee should **not** make **any** outlay in behalf of the employing Member's campaign, other than outlays for his or her personal travel expenses that are consistent with the FEC regulations, or for another purpose that is deemed not to constitute a contribution under the Act or the regulations.

Example 1. A Member's campaign wishes to purchase some souvenirs from the House Gift Store to give as gifts to the Member's supporters. An employee of the Member's congressional office may not purchase the items with her own money or a personal credit card, even if the campaign make arrangements to reimburse her promptly. However, the Member may purchase the souvenirs with his personal funds and receive reimbursement from the campaign.

Thus where a House employee undertakes to do campaign work – on his or her own time and outside of congressional space, in accordance with the rules summarized above – the individual should make appropriate arrangements with the campaign to ensure that he or she will not be called upon to make any improper outlays. The arrangements may include, for example, providing the individual, in advance, with any funds that might be needed to cover anticipated campaign expenses, or providing the individual with use of a campaign credit card.

While the law prohibits House employees from making campaign contributions to their employing Member, the law does not prohibit them from making a campaign contribution to any other candidate, including another House Member. In addition, the law does not prohibit House employees from making contributions to multi-candidate political committees, such as a PAC or the Democratic or Republican Congressional Campaign Committees, even though some of the proceeds received by such committees may eventually be spent for the benefit of the contributor's employee. In making such a contribution, however, an employee should not earmark it for use in the campaign of the employing Member, because that could be deemed a contribution from the employee to the Member.

With regard to those contributions from House employees that are not prohibited by 18 U.S.C. §603, both Members and staff should bear in mind that a separate provision of the Federal criminal code, 18 U.S.C. §606, prohibits the use of intimidation to secure such contributions. Specifically, that statute makes it unlawful for a Senator, Representative or federal officer or employee to discharge, demote or promote another federal officer or employee, or to threaten or promise to do so, for making or failing to make "any contribution of money or other valuable thing for any political purpose."

FEDERAL CRIMINAL CODE 18 USC 603

(a) It shall be unlawful for an officer or employee of the United States or any department or agency thereof, or a person receiving any salary or compensation for services from money derived from the Treasury of the United States, to make any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 to any other such officer, employee or person or to any Senator or Representative in, or Delegate or Resident Commissioner to, the Congress, if the person receiving such contribution is the employer or employing authority of the person making the contribution. Any person who violates this section shall be fined not more than \$5,000 or imprisoned not more than three years, or both.

(b) For purposes of this section, a contribution to an authorized committee as defined in section 302(e)(1) of the Federal Election Campaign Act of 1971 shall be considered a contribution to the individual who has authorized such committee.

FEDERAL ELECTION CAMPAIGN ACT

Chapter 2 USC (8) Sec. 431. -

*The term "

" includes -

(i) any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office; or

(ii) the payment by any person of compensation for the personal services of another person which are rendered to a political committee without charge for any purpose.

PROHIBITED USE OF CONGRESSIONAL OFFICE & RESOURCES

An example of prohibited campaign reelection activity that has been carried out in Rep. Alcee Hastings main congressional office are campaign finance reports. Rep. Hastings reelection campaign filed reports with the Federal Election Commission (ID# C00269837) on October 28, 1996. These reports can be viewed and downloaded from the Federal Election Commission's website at:

On these reelection campaign reports are the fax number from which the reports were sent to the FEC. This is printed across the top. That fax number- 954-735-9444- is, and continues to be the official fax number in Rep. Alcee Hastings main district office in Florida. Below is an excerpt from the House Ethics

Handbook on the use of official resources, (including fax machines), for political activity. Preparing campaign reports to the FEC in a congressional office is expressly noted as a violation of House Ethics Rules.

GENERAL PROHIBITION AGAINST USING OFFICIAL RESOURCES FOR CAMPAIGN OR POLITICAL PURPOSES

As detailed below, official resources of the House must, as a general rule, be used for the performance of official business of the House, and hence those resources may not be used for campaign or political purposes. The laws and rules referenced in this section reflect "the basic principle that government funds should not be spent to help incumbents gain reelection."

What are the "official resources" to which this basic rule applies? Certainly the funds appropriated for Member, committee and other House offices are official resources, as are the goods and services purchased with those funds.

Accordingly, among the resources that generally may not be used for campaign or political purposes are congressional office equipment (including the computers, telephones and fax machines), office supplies (including official stationery and envelopes), and congressional staff time.

Among the specific activities that clearly may not be undertaken in a congressional office or using House resources (including official staff time) are, for example, the solicitation of contributions; the drafting of campaign speeches, statements, press releases or literature; the completion of Federal Election Commission reports; the creation or issuance of a campaign mailing; or the holding of a meeting on campaign business. The same applies to any activity that is funded to any extent with campaign funds, even if the activity is not overtly political in nature. The latter point is further addressed and

below.

The misuse of the funds and other resources that the House of Representatives entrusts to Members for the conduct of official House business is a very serious matter. Depending on the circumstances, such conduct may result in not only disciplinary action by the House, but also criminal prosecution (see . Moreover, while any House employee who makes improper use of House resources is subject to disciplinary action by the Standards Committee, each Member should be aware that he or she may be held responsible for any improper use of resources that occurs in the Member's office. The Standards Committee has long taken the position that each Member is responsible for assuring that his or her employees are aware of and adhere to the rules, and for assuring that House resources are applied to proper purposes.



MICHAEL J. SATZ STATE ATTORNEY

SEVENTEENTH JUDICIAL CIRCUIT OF FLORIDA

BROWARD COUNTY COURTHOUSE

201 S.E. SIXTH STREET

FORT LAUDERDALE, FLORIDA 33301-3360

PHONE (954) 831-6955

July 2. 2004

Mr. Alan Brown 4460 NW 25th Place Lauderhill, Florida 33313

RE: Black Voter Guide Complaint

Dear Mr. Brown:

My secretary. Denise, informed me that you had called to cancel our meeting set for today. I then called you and left a message on your answering machine requesting that you contact me. I think that it is important that I meet with you as soon as possible to discuss your complaint to the Elections Commission and take a statement from you. As I mentioned to you during our telephone conversation yesterday, some of the allegations are civil infractions while some of the allegations may be criminal however. I need more information from you before I could make that determination

Since your complaint indicated that some of these incidents might have occurred in August of 2002. I would like to address them prior to any statute of limitations lapsing. Please contact my office to arrange a mutually convenient time to meet with me at your earliest convenience.

Timothy L. Donnelly

Assistant State Attorney in Charge

Organized Crime/Gang/Special Prosecution Units

Broward County Courthouse 201 SE 6th Street. Room 620

Fort Lauderdale. Florida 33301

(954) 831-8029



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street Collins Building, Suite 224 Tallahassee, Florida 32399-1050 (850) 922-4539

July 8, 2004

Alan Brown 4460 N.W. 25 Place Lauderhill, Florida 33313

RE: Case No.: FEC 04-205- 04-210

Dear Mr. Brown:

The Florida Elections Commission has received your complaint alleging a violation of Florida's election laws. After reviewing the complaint, the Commission has determined that it will investigate the following and related statute(s):

Section 106.03(1), Florida Statutes, failure of a political committee to file a statement of organization;

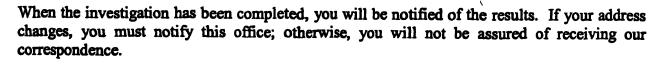
Section 106.143(1), Florida Statutes, failure of a person who makes an expenditure for a political advertisement to mark prominently the political advertisements as a "pd. pol. adv." or a "paid political advertisement" and to identify the sponsor;

Section 106.143(3), Florida Statutes, prohibiting a person on behalf of a candidate from representing in a political advertisement that a person supports the candidate before obtaining the written approval of that person; and

Section 106.143(1)(a), Florida Statutes, failure of a person offering a political advertisement on behalf of a candidate to obtain approval from the candidate before circulating the advertisement;

Section 106.19(1)(a), Florida Statutes, prohibiting a person or organization from accepting a contribution in excess of the legal limits;

Section 106.19(1)(c), Florida Statutes, prohibiting a person or organization from falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes.



If you have any additional information that may assist us in our investigation or have any questions, please contact Keith Smith, the investigator assigned to this case, at extension 112.

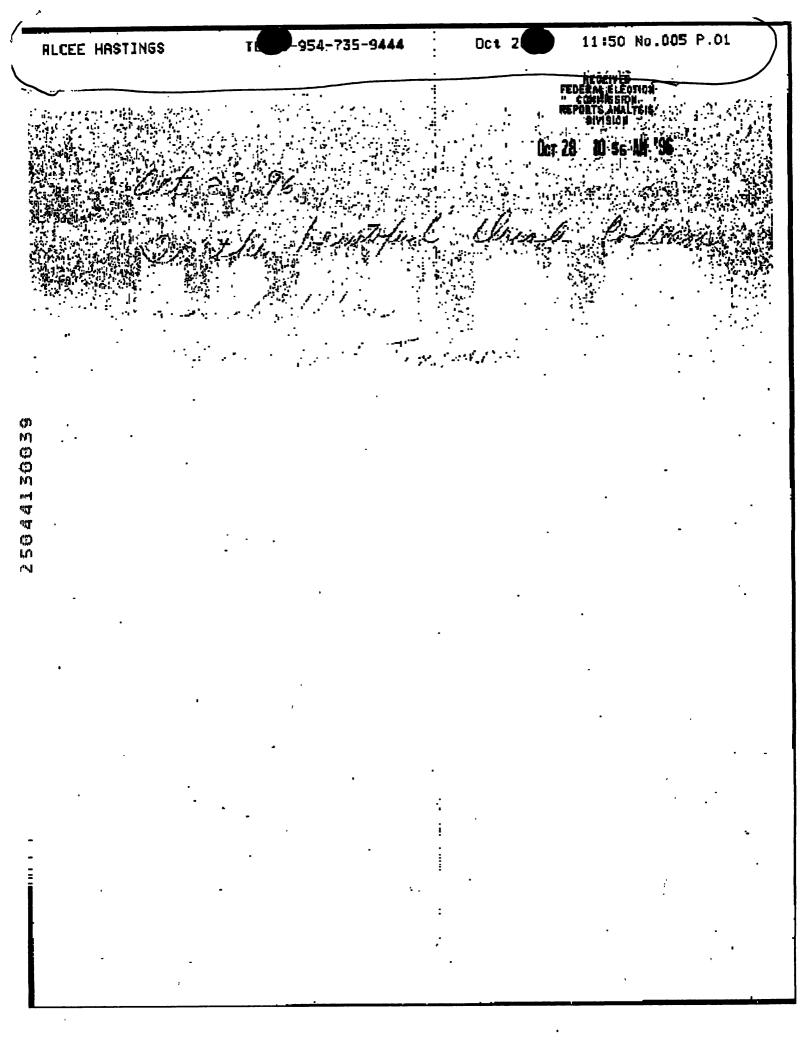
Sincerely,

Barbara M. Linthicum
Executive Director

Enclosure: Complaint w/o attachments

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POST-ELECTION DETAILED SUMMARY PAGE Report of Receipts and Disbursements

FSC Form 2 (REV 11/00)

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	COLUMN A Total the Period	COLUMN B Election Cycle Total as of * (date of general Bection) (* 806 page 5 for date)	COLUMN C Total for * (date after general election) Through * (lest day of reporting period) (* See page 5 for dates)
	(d) The Candidate	<u></u>	
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... 22, US House, Writeln, Stan Smilan, PO Box 740606, Boynton Beach, Florida, ... US House, Democrat, Alcee L Hastings, Post Office Box 9352, Fort Lauderdale, Florida, 33310. ...

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Hendry County Campaign 2004 candidates

... 2709 DEM Keith A Claybourne, 3301 NW 55th St, Fort Lauderdale, FL 33309, 954-497-3190 DEM * Alcee L. Hastings, PO Box 9352, Fort Lauderdale, FL 33310 954-730 ... www.hendryelections.org/candidates2004.htm - 11k - Cached - Similar pages

Candidates 2000

... ALCEE L. HASTINGS (DEM). BILL LAMBERT (REP). PO BOX 9352. 270 SW 3RD ST. FORT LAUDERDALE FL 33310 BOCA RATON FL 33432. (954) 733-2800. (561) 395-4683. ...

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Project Vote Smart - Representative Hastings - Biography

... Way, Suite 208 West Palm Beach, FL 33407 Phone. 561-684-0565 Fax: 561-684-3613 Campaign Address Post Office **Box 9352 Fort Lauderdale**, FL **33310** Phone[.] 954-730 ... www vote-smart org/bio php?can_id=H0745103 - 34k - Cached - Similar pages

Archived - Talent and Diversity - Participants List

... Meeting January 30-31, 1997 Nilda M. Aguirre PO Box 10039 Fort Lauderdale, FL 33310 phone⁻ (954) 792–6114 fax: (305) 821–9352 ... www ed gov/pubs/TalentandDiversity/listoe.html - 11k - Cached - Similar pages

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... Post Office Box 9352, Fort Lauderdale, FL 33310 CHARLES LAURIE (REP) (954-270-2233) filed: 01-02-2004 2361 Northwest 33 rd, #609, Fort Lauderdale, FL 33309. ... www.pbcelections.org/Candidates/ann0426 2004.htm - 101k - Cached - Similar pages

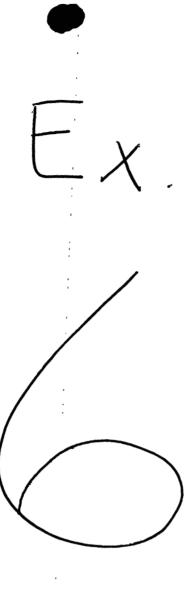
2002 Endorsed Candidates in Florida

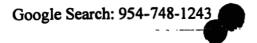
... Alcee Hastings. US House 23. Alcee Hastings for Congress PO Box 9352 Ft. Lauderdale, FL 33310 Campaign Phone (954) 733-2800 Campaign Fax (954) 735-9444 Web ...

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AllPolitics - Congressional Races - Florida District 23

... POLITICAL CAREER. Democratic nominee for Florida Secretary of State, 1990, US House, 1992-. ADDRESS **PO Box 9352**, **Fort Lauderdale 33310**. Tel.: 954-730-7322. ... cgi cnn.com/ALLPOLITICS/1996/ candidates/election guide/text/FL23 shtml - 7k - <u>Cached</u> -









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